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| 10/760,577 | 01/20/2004 | Mike Peters | 6065-90401 | 1067 |
| 24628 7590 11/17/2009 Husch Blackwell Sanders, LLP Husch Blackwell Sanders LLP Welsh & Katz 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606 | | | | |
| EXAMINER | | | | |
| SAM, PHIRIN | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,577

Applicant(s)

PETERS, MIKE

Examiner

PHIRIN SAM

Art Unit

2476

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/17/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/22)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7,372,957 to Strathmeyer et al. (hereinafter "Strathmeyer") in view of US 2004/0203664 of Lei et al. (hereinafter "Lei").

Regarding claims 1, 11, and 21, Strathmeyer discloses a method of distributing Internet calls by an automatic contact distributor, such method comprising:

- (a) receiving a Session Initiation Protocol INVITE by the automatic contact distributor sent over the Internet from a client (see Fig. 1, col. 7, lines 54-67, and col. 8, lines 1-13, 64-67);
- (b) determining a call type from the Session Initiation Protocol INVITE (see Fig. 1, col. 10, lines 33-49, and col. 11, lines 1-22);
- (c) selecting an agent to handle the Internet call based upon the determined call type (see Fig. 3, col. 14, lines 16-42);
- (d) setting up an Internet call between the selected agent and the client through a buffer server based upon the Session Initiation Protocol INVITE (see Figs. 1 and 3, col. 14, lines 56-67, and col. 15, lines 1-15);

Strathmeyer does not explicitly disclose requesting notification from the agent upon termination of the Internet call. However, Mayer discloses disclose requesting notification from

the agent upon termination of the Internet call (see Fig. 4, paragraph [0053]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine requesting notification from the agent upon termination of the Internet call teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claims 1, 11, and 21.

Regarding claims 2, 12, and 22, Strathmeyer discloses the step of setting up the call further comprises determining a URL of the selected agent (see Fig. 1, col. 8, lines 64-67, and col. 9, lines 1-13).

Regarding claims 3, 13, and 23, Strathmeyer discloses determining a universal resource locator pair for use by the buffer server for routing packets between the selected agent and client (see Fig. 1, col. 8, lines 64-67, and col. 9, lines 1-13).

Regarding claims 4 and 14, Strathmeyer does not explicitly disclose routing a Session Initiation Protocol INVITE regarding the client to the selected agent. However, Lei discloses routing a Session Initiation Protocol INVITE regarding the client to the selected agent (see Figs. 1 and 2, paragraphs [0038], [0040], [0045]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine routing a Session Initiation Protocol INVITE regarding the client to the selected agent teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claims 4 and 14.

Regarding amended claims 5 and 15, Strathmeyer discloses the Session Initiation Protocol INVITE to determine a communication protocol to be used for the Internet call (see Fig. 1, claim 37).

Regarding claims 6, 16, and 25, Strathmeyer discloses setting up a communication link between the selected agent and the client (see Fig. 1, col. 10, lines 50-62).

Regarding claims 7 and 17, Strathmeyer discloses conferencing a supervisor into the Internet call (see Fig. 1, col. 9, lines 43-67, and col. 10, lines 1-11).

Regarding claims 8 and 24, Strathmeyer does explicitly disclose sending a SIP instant message to the buffer server that includes an identifier. However, Lei discloses sending a SIP instant message to the buffer server that includes an identifier (see Fig. 1, paragraphs [0006], [0028]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine sending a SIP instant message to the buffer server that includes an identifier. However, Lei discloses sending a SIP instant message to the buffer server that includes an identifier teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claims 8 and 24.

Regarding claims 9, 19, and 27, Strathmeyer discloses defining the communication link as a request for Voice over Internet Protocol.

Regarding claim 10, 20, and 28, Strathmeyer does not explicitly disclose the communication link as a request for Instant Messaging. However, Lei discloses the communication link as a request for Instant Messaging (see Fig. 1, paragraphs [0006], [0028]).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the communication link as a request for Instant Messaging teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claims 10 and 20.

Regarding claim 18, Strathmeyer does not explicitly disclose means for directing the Session Initiation Protocol INVITE to the selected agent using a URL of the agent and for permitting the agent to negotiate a communications protocol for the internet call. However, Lei discloses means for directing the Session Initiation Protocol INVITE to the selected agent using a URL of the agent and for permitting the agent to negotiate a communications protocol for the internet call (see Figs. 1 and 2, paragraphs [0005], [0038], [0040], [0045], [0048], [0054]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine means for directing the Session Initiation Protocol INVITE to the selected agent using a URL of the agent and for permitting the agent to negotiate a communications protocol for the internet call teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claim 18.

Regarding claim 26, Strathmeyer does not explicitly disclose the agent selection application is adapted to monitor call progress by sending SIP requests requesting notification of status. However, Lei discloses the agent selection application is adapted to monitor call progress

by sending SIP requests requesting notification of status (see Figs. 1 and 2, paragraph [0040]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the agent selection application is adapted to monitor call progress by sending SIP requests requesting notification of status teaching by Lei with Strathmeyer. The motivation for doing so would have been to provide automatically manage the integration of communication endpoints read on paragraph [0010]. Therefore, it would have been obvious to combine Lei and Strathmeyer to obtain the invention as specified in the claim 26.

Response to Arguments

3. Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHIRIN SAM whose telephone number is (571)272-3082. The examiner can normally be reached on Increased Flexitime Policy (IFP) Program.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272 - 3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully submitted,

Date: November 14, 2009

By: /Phirin Sam/
Phirin Sam
Primary Examiner
Art Unit 2476